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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 August 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Slavery in Mauritania

Mauritania routinely ranks among the states in the world where the prevalence of slavery is the highest. With between 4 percent and 20 percent – depending estimations – of its 3.8 million population in slavery, Mauritania's judiciary has only prosecuted one slave owner for the crime of slavery since the 2007 anti-slavery law was passed.

The UN Special Rapporteur on Contemporary Forms of Slavery noted after her 2014 country visit that the 2007 Anti-Slavery law relies solely upon the police and judiciary, who "have shown a reluctance to follow up on allegations of slavery-like practices, with most cases being closed without any proper investigation", and that "the burden of proof lies on the victim".

Case of Biram Dah Abeid and Brahim Bilal Ramdhane

Society for Threatened Peoples is disappointed about the fact that an appeals court in Mauritania has confirmed that Biram Dah Abeid, winner of the Weimar Human Rights Award and anti-slavery activist, and his deputy Brahim Bilal Ramdhane will have to serve a two-year prison sentence. There is no justice for abolitionists in Mauritania. The court proceedings – which took place in camera – were all but fair. The authorities had decided to move the proceedings to the provincial town Aleg in order to avoid demonstrations. As a form of protest, the defendants did not attend the appeal proceedings.

Mr Abeid and Mr. Ramdhane were seeking to empower marginalised communities to know and defend their rights through awareness-raising. They aimed to challenge the societal status quo in which the Arabo-Berber ethnic group – the traditional slave-owning class - accounting for around 20-25 percent of the Mauritanian population - hold most positions of power; in the police, judiciary, politics, religion and education.

On January 15, 2015, the two well-known human rights activists were sentenced to two years in prison for participating in a demonstration against slavery and for allegedly being involved in an unofficial organization. In 2013, Biram Dah Abeid was awarded the United Nations Human Rights Prize for his commitment against slavery in the scope of the Abolitionist-movement IRA – but the Mauritanian authorities refused to recognize the human rights organization nonetheless. In 2011, Biram Dah Abeid had been honored with the Weimar Human Rights Award.

Before the appeal hearing on August 20, 2015, the security forces had shielded the court building and established a no-protest zone. Journalists, representatives of other human rights organizations and about 200 supporters of the IRA were not allowed to attend the proceedings. Before, the defendants' lawyers had tried to protest against the measures, accusing the authorities of moving the proceedings to a remote province to avoid public protests and to keep friends and relatives from attending the proceedings.

The disputes about ongoing slavery in Mauritania are damaging the country's international reputation. To show commitment in the struggle against slavery, the government had adopted a new law in August 2015, defining slavery as a "crime against humanity" as well as criminalizing "10 other forms of slavery" aside from conditions involving loss of freedom and work without pay. However, Mauritania's assurances are not credible as long as the existing laws are not used to actually punish slaveholders and as long as abolitionists are being silenced.

Death sentence for apostasy

On Christmas Eve 2014, a court in the city of Nouadhibou sentenced the 29-year-old Mohamed Cheikh Ould Mkhaitir to death by shooting for allegedly defaming the prophet Mohamed. The young man was accused of publishing an article on the Internet, in which he is said to have questioned the prophet Mohamed as well as the existing social order in Mauritania. He had been arrested on January 2, 2014, and had since been held in custody. He insisted that his criticism had been misunderstood. The defendant stated that he had not wanted to defame the prophet, but merely wanted to draw attention to a social problem. He fainted during the sentencing. Unto this day, Mohamed Cheikh Ould Mkhaitir is still on death row.

This is an attempt to silence critics who work against the exclusion of the discriminated caste of the blacksmiths in Mauritania. In recent years, there has been an initiative to work against the marginalization of the blacksmith caste by organizing press conferences, events and human rights campaigns to draw attention to the cause and to demand an end to the discrimination. Referring to the example of the descendants of the black African slaves, they had called for a more open society in Mauritania. The death sentence is an attempt to silence critics who work against the exclusion of the discriminated caste of the blacksmiths in Mauritania. In Mauritania, there had previously been no more enforced death penalties since 1987. The death sentence was applauded in the courtroom as well as in public.

Society for Threatened Peoples calls on the Human Rights Council to call on the government of Mauritania to immediately release Biram Dah Abeid and Brahim Bilal Ramdhane. Mohamed Cheikh Ould Mkhaitir must also be released. Mauritania must be remineded of its obligations to uphold international law as it relates to the rights of human rights defenders and to combatting slavery.